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Eleventh session

SUMMARY RECORD OF THE 196th MEETING

Held at Headquarters, New York,
on Friday, 24 January 1992, at 10 a.m.

Chairperson: Ms. TALLAWY

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The meeting was called to order at 10.20 a.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Initial, second and third reports of Honduras (continued) (CEDAW/C/5/Add.44, CEDAW/C/13/Add.39 and Amend.1 and CEDAW/C/HON/3)

1. At the invitation of the Chairperson, Ms. Rosales Paz (Honduras) took a place at the Committee table.

2. Ms. ROSALES PAZ (Honduras) said that although the Honduran Government was making efforts to implement the Convention, many of the measures it had undertaken would only produce results over time. The reason that there were no mechanisms or services to provide direct support to women who were victims of discrimination was the lack of economic resources. Consciousness-raising activities designed to eradicate discrimination were also an arduous undertaking. However, the Summit Meeting of the Central American Presidents had helped create a national and regional political framework for undertaking social tasks. Moreover, a group of women members of the National Congress was promoting the reform of legal provisions that were detrimental to the rights of women and was undertaking research and organizing seminars in which non-governmental organizations, women's associations and representatives of some governmental bodies had begun to participate.

3. Equality of men and women in the work place was regulated by articles 127 and 128 of the Constitution concerning the right to free choice of an occupation and the principle of equal pay for equal work where the post, working hours, output and length of service were also equal. In practice, there was some wage discrimination, but women working in the same professions as men had begun to campaign for equal pay. Discrimination was more a matter of hierarchical subordination; for many years, Honduran women had been relegated to "female" occupations. More recently, the high cost of living and the increase in the number of single mothers had led many more women to seek paid work outside the home and also to pursue higher education.

4. She read out the text of the provision of the Family Code concerning women's entitlement to maintenance from their husbands (page 7 of the report). Spouses were also required to educate and instruct their children and, in the event of divorce, the divorce ruling awarded the right to maintenance to the innocent spouse and to the children. Although the penalty of imprisonment for men who defaulted on maintenance payments deprived such men of the opportunity of employment, that provision did act as a deterrent; if other types of penalties were to be considered, it would have to be determined whether they were practically feasible. No funds were available for efforts to increase men's awareness on that issue.

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5. Articles 64 to 80 of the Family Code regulated the economic regime of marriage. Those articles were concerned with community of property, premarital agreements on existing property and property acquired during the marriage, and disposition of property in the event of dissolution of a marriage. They also regulated the financial obligations of the spouses and made provision for debts and extraordinary expenses. Both spouses administered the marital property; one of the spouses could administer it if the other spouse agreed, but such agreement could be withdrawn and even replaced by separation of property if the property was mismanaged.

6. Women's organizations in Honduras were trying to coordinate their activities in order to find solutions to common problems. They were currently meeting at Tegucigalpa to draw up a Plan of Action for the implementation of a "women's policies" project. New appointments were also being made to various ministries to deal with women's matters.

7. There were no special regulations on migrant women although, if their rights were violated, they could file complaints and have the necessary investigations carried out. Although there were no special programmes for refugee women, some components that benefited women had been included in projects such as the Trifinio plan.

8. The National Social Welfare Board, through its programmes for street children, tried to find homes for juvenile girls engaged in prostitution and provide them with material assistance. A UNICEF publication had estimated that there were some 500 street children in Tegucigalpa alone and a further 1,000 in other Honduran cities. Statistics on prostitution were not available because of lack of resources; for the same reason, it was difficult to provide vocational training for prostitutes. Control of prostitutes was effected mainly for health reasons in the main cities of the country.

9. On the question of maternity leave, because of the difficult economic situation in Honduras women did not necessarily feel discriminated against if they were not able to take long periods of maternity leave.

10. No statistics were available on the number of women engaged in the maquila (semi-processing) industry. It was very common for employers in the private sector to check whether female employees were pregnant. The provision in the Labour Code referring to the intellectual and moral development of women and minors was likely to be amended since the Labour Code was currently under review. The indication in the Criminal Code of 1984 that the physical and organic damage and the moral trauma engendered in a male rape victim might be more serious than in a woman was also likely to be amended.

11. In respect of education, according to the 1988 census a total of 610,534 residents of urban areas (including 209,764 women) and 88,498 residents of rural areas had received no education. Many children did not receive secondary education because of the lack of resources. Even at the primary

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level, not all needs could be met. Regarding school drop-out rates, many inhabitants of rural areas barely completed three years of schooling. There were higher rates of school attendance for girls between 7 and 9 years but the rate fell after the age of 10 since girls were often needed to help in the home, especially in families headed by single, divorced or widowed mothers. Such women had numbered 267,000, including 130,000 in rural areas, in 1985.

12. There were no figures on the contribution of women to national production. However, according to a survey carried out in 1987, 80 per cent of workers on the labour market were men and 20 per cent were women.

13. There were no statistics on clandestine abortions, since there was no control over them. Consciousness-raising in respect of family planning would show results over time; so far, there had been no significant decline in the birth rate. Family planning activities were carried out to the extent permitted by the resources of the Ministry of Health. The provision that girls needed to be 16 but boys needed to be 18 to marry was sexist and might be amended at a future date.

14. The domicile of spouses had formerly been determined by the husband. Under the current Family Code, the domicile of spouses was the common home and the domicile of children was the same as that of their parents.

15. Obstetrical care was provided in hospitals and at health centres in rural areas. The Ministry of Health frequently provided training for all female birth attendants in the country's eight health regions. The activities of the Maternal and Child Division had been intensified to provide preventive health services and prenatal care for women. Under the Maternal and Child Health Project (PBMI), services were provided to pregnant and nursing mothers and children under the age of five in the poorest areas; in 1991, 14,000 women and 42,000 children had benefited from those services. Under an agreement signed recently by the Ministry of Education with regard to educational and cultural integration, maternal and child and pre-school education were to be incorporated into the formal educational system.

16. In general, men were reluctant for their wives to join cooperatives. In September 1991, 600 women had participated in a workshop on "Women and the cooperative movement" held at Tegucigalpa and sponsored by the International Cooperative Alliance; the purpose of the seminar had been to formulate a strategy for incorporating women into the development process through cooperative activities. The strategy would cover such matters as loans, credit, youth training programmes, environmental protection, quantification of domestic work, increasing the number of women in decision-making posts, incorporating displaced or repatriated women into the production process, family planning, support services for working women and abolishing female stereotypes. The seminar had been attended by international organizations present in Honduras and national non-governmental organizations.

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17. It was possible that employers gave preference to male job applicants for economic reasons and because of existing stereotypes. As to activities to change socio-cultural patterns, the Ministry of Education had made changes in school textbooks and in the materials used for training courses. With regard to less educated women, the National Congress, rural development departments and sections, the Ministry of Health and some non-governmental organizations had organized seminars and training workshops and had distributed information. They had also tried to distribute information on AIDS to even the remotest areas of the country.

18. Although the issue of sexual harassment was not regulated under Honduran law, the group of women members of the National Congress had drafted legislative proposals which included prison sentences for different forms of sexual harassment (art. 151 of the draft Criminal Code).

19. The draft Criminal Code being prepared for the National Congress included provisions designed to combat the exploitation of prostitution: articles 152 and 153 would impose prison sentences for procurement and for traffic in women, men or minors. The laws punishing violence against women covered all women, including prostitutes. In practice, however, prostitutes did not often report cases of violence.

20. Members of the armed forces did not have the right to vote because, by law, the armed forces of Honduras were an apolitical institution.

21. Honduran nationality was acquired by birth or by naturalization; any one born in the national territory, with the exception of children of diplomats, was Honduran, as were children born abroad of Honduran parents or on Honduran ships or aircraft; children of unknown parents found in the territory of Honduras were also Honduran. Article 27 of the Family Code provided that neither matrimony nor its dissolution affected the nationality of the spouses or of their children.

22. The 1906 civil provisions regulating marital rights and duties provided inadequate legal protection for women. In interpreting the law, the police had not normally intervened to enforce the duties and rights of spouses. Over time, that had increased the subordination of women within the home since not only the police but also society in general had ignored cases of domestic violence. Under criminal legislation, unless death or serious injury resulted, such cases were regarded as mere misdemeanors. The current Family Code was based on equality of the spouses; however, the police still did not intervene in cases of domestic violence. The most frequent forms of domestic violence were physical abuse of various kinds and psychological and moral abuse, including abandonment, deprivation of property and social isolation. The legal regulations applicable to cases of domestic violence related to cases of separation or divorce (Family Code). However, the Criminal Code penalized murder and physical injury and also included provisions applicable to cases of denial of family assistance and crimes against persons.

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23. The Family Code provided for separation as an alternative to divorce; contested divorces could be granted on grounds of cruelty or mistreatment of the other spouse or the children, failure to provide maintenance to the other spouse and the children and abandonment. Thus, domestic violence could be remedied under civil law without resorting to criminal penalties.

24. The Criminal Code also laid down penalties for crimes against a woman's life and physical integrity. Denial of legally required family care to a spouse or children under 21 years of age was punishable by one or three years' imprisonment. Declaration of bankruptcy, assignment of assets to third parties, abandonment of employment or fraudulent claims in order to avoid alimony payments were punishable by imprisonment of six months to one year. Men who abused a spouse without causing injury were subject to 15 to 60 days' imprisonment. The penalty for women offenders was 10 to 30 days' imprisonment. Abuse of a visibly pregnant woman without causing injury was punishable by 15 to 60 days' imprisonment.

25. Women who had been rape victims or victims of violence or cruelty in the home could seek legal redress by filing a complaint. If the victim was a minor, the complaint was filed by the legal representative; it was filed by the mayor's legal counsel, the Public Prosecutor's Office or the judge at the request of a neighbour if the offence was committed by the father or guardian. The accusation must be made immediately so that a medical examination could be conducted for evidence of injuries caused by a sexual attack or physical violence, and in order to determine the complainant's physical and mental state. Beyond that, it was extremely difficult to prove such offences because of the circumstances in which they generally occurred; and the long-term social consequences for the victim were unpredictable. Battered women could institute proceedings in order to obtain a maintenance for their children. There were many such cases before the family courts. A woman could bring action in court for physical cruelty if her husband repeatedly attacked her or endangered her life of her children's lives. Cases of psychological abuse in the home were rarely reported and were generally the cause of separation or divorce. Other types of cruelty included abandonment of children in order to escape the obligation to provide for them, as stipulated by the Family Code.

26. In low-income families, husbands frequently had possession of the small plots of land granted by the Government which their wives tended and cultivated. As the acquisition of such plots was highly irregular, women could claim title to them only under municipal law. Rural men frequently denied their wives freedom to work or form associations. It was hoped that improvements would be brought about by the Agrarian Reform Act, whose objectives were to enable women to acquire urban and rural land directly; give preference to the wife in awarding title to land in the event of the husband's absence or death; grant title to property distributed by the Instituto Nacional Agraria (National Agrarian Institute) in the couple's name, in accordance with the provisions of the Family Code on the establishment of the

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family estate; and repeal laws or administrative practices that restricted women's rights to acquire land or housing. The previous agrarian reform legislation had largely sanctioned the violent attitude of some men as lords and masters of their plots of land, thereby perpetuating a situation which left women unprotected. For that reason, the National Congress now maintained that there could be no genuine development as long as a large segment of the population was marginalized and discriminated against.

27. Penal legislation classified offences against sexual freedom and decency, including the crimes of rape, affront to decency and abduction. The terminology in the 15 articles covering those offences reflected patriarchal biases and lack of respect and consideration for women of all social classes. The definition of rape was based on the concepts of virginity and decency, and the penalties were based on subjective criteria such as "good reputation" and "decency". Penalties for abduction were waived in exchange for marrying the victim and, in general, were relatively lenient, ranging from sentences of one to nine years, depending on the circumstances. In cases of incest, which was common in Honduras, the maximum penalty did not exceed five years. Only in exceptional cases were offences prosecuted by the courts or public charges brought by the mayor's legal counsel or the public prosecutor's office. Proceedings were complicated and emotionally damaging for the victim, not only because of the evidence required but also because the judicial and police authorities were often subjective, indifferent, careless or poorly trained. There was no legal protection against the longer-term effects of such offences on a woman's self-esteem. The Criminal Code contained no provisions on sexual crimes against women considered to be of ill repute and also granted an express pardon to offenders who reached a settlement with representatives of a minor or married person they had raped or abducted. Such a situation was an affront to women's dignity and security.

28. The extent of violence against women in Honduras was unknown. It was only recently that violence and its causes had begun to be studied. Statistics were compiled only in the two main cities, Tegucigalpa and San Pedro Sula, and the only cases recorded were those which had been brought before the criminal courts or reported by the media. The tendency to cover up such offences, which was rooted in social and cultural models, meant that there was little documentation on the problem. Statistics on the sex and age of victims and offenders, the relationship of the offender to the victim, the places in which such offences occurred, offences against adolescent women and offences involving incests, as reported to the Francisco Morazán Forensic Department in 1988, had been distributed to Committee members.

29. She then turned to the strategy proposed by the Honduras Corporation for Forestry Development for developing equitable participation by rural women in the forestry sector. The aim was to improve the living conditions of rural women through income-generating programmes, enable them to participate in the management, conservation, protection and use of forests and promote social and family projects involving men and aimed at eliminating stereotypes. Support

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measures would be taken to enable women to devote at least part of their spare time to forestry protection, with the goal of seeking alternative sources of fuel and water. Technical staff would be trained to work with women and recognize the value of women's role, and the relevant provisions of the Municipalities Act, the Labour Code and the Family Code would be revised.

30. The strategy recommended that all projects and programmes for women should be comprehensive, covering aspects of both production and reproduction. Encouragement should be given to farming and forestry projects which generated income and guaranteed food security, through the cultivation of family vegetable gardens. Assistance should be given to supporting and consolidating women's organizations. Equitable participation between men and women should be encouraged in mixed groups and measures coordinated with non-governmental organizations. Long-term training strategies should be developed to familiarize officials and experts with the specific problems facing women in agriculture and forestry, including a cultural, recreational and educational component. Conditions should be created to ensure access to credit, technical assistance and help in marketing the produce of the land and forests. Support services should be provided to ease the burden of child care and domestic chores, so as to free women to take part in other activities. Protection and conservation of community water sources should be encouraged and quick-growing trees planted for firewood and other uses. Women's role in decision-making and their status in society should be enhanced, while laws and regulations limiting access to productive resources should be revised. More information should be provided on land resources, production and credit facilities and efforts should be made to harmonize the legislative instruments of the various bodies operating in the sector.

31. The main conclusions to be drawn from the relevant documents were that account must always be taken of the social and cultural factors determining the situation of women and that genuine participation by women in projects was not possible unless the prejudices of officials and experts could be overcome. There had been a lack of professionalism in promoting the advancement of women and, by comparison with other sectors, little had been achieved. Account had not been taken of women's problems when drawing up the various national programmes and women had not been properly involved in the formulation and management of projects. The main problems of illiteracy, poor education and the burden imposed by household chores and child care had not been properly addressed, while the role of women in projects and in society at large had not been given due weight. In that regard, she drew the Committee's attention to a number of publications concerning the situation of women in Honduras.

32. Ms. GONZALEZ MARTINEZ expressed appreciation to the representatives of Honduras for the extremely thorough, frank and sincere answers to the Committee's questions. In Honduras, as in other Latin American countries, cultural patterns were so entrenched that it would be very difficult to bring about change in the short term. The Government could help to increase

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awareness among Honduran women and men of the need for social and cultural change and changes in attitude, without which it would be very difficult to implement legislation in favour of women. She hoped that, once peace was firmly established in Central America, the Honduran Government would focus on measures to improve the status of women.

33. Ms. LAIOU-ANTONIOU also expressed appreciation to the representatives of Honduras for the tremendous amount of information they had provided. The Honduran report was one of the few to mention the very vital issue of the environment, in which women played a special role. The rise of ecofeminism reflected the fact that women's values were often more in tune with environmental concerns. The Nairobi Forward-looking Strategies had focused on women's participation in development, but it should not be the kind of development conceived and planned by men, one that was profit-oriented and rooted in patriarchal attitudes. Perhaps the Strategies should incorporate the concept of sustainable development, which was replacing the concept of development without regard for the environment.

34. While existing legislation in Honduras provided for equal pay for equal work, it was less specific about equal pay for work of equal value. Very often, jobs traditionally held by women, such as nursing, were undervalued by comparison with jobs held by men (technicians, plumbers, etc.), whose social contribution was not as great. The report also did not indicate whether Honduras was a party to the conventions of the International Labour Organisation.

35. Ms. ABAKA expressed concern that the denial of voting rights to members of the armed forces infringed their fundamental human right to participate in the political process. The concept was also very broad and seemed to include members of the police and prison wardens. She hoped that the issue would be addressed in future periodic reports.

36. Ms. BRAVO NUÑEZ DE RAMSEY said that, as a national of Ecuador, she had no difficulty grasping the issues raised by the representative of Honduras; both countries had dependent economies and faced similar problems. As countries changed, sexual stereotypes must also change and men, as well as women, must participate in that process. In future reports from Latin American countries, she would appreciate information on the role which men were playing in the advancement of women.

37. She also had no difficulty understanding what had been said about the armed forces and the police in Honduras. Until recently, coups d'état had been frequent in Latin America and sectors of the armed forces had been at odds with one another. In response to that situation, Latin American countries had enacted legislation placing the army under the authority of the State and requiring it to act within a legal framework. Accordingly, the armed forces should have no involvement in elections but should protect electoral freedom.

38. Ms. BUSTELO GARCIA del REAL expressed appreciation to the representative of Honduras for her frank answers to the questions put by members of the Committee. The conclusion to be drawn was that significant legal changes remained to be made, for example, to the Criminal Code. It was also clear that Honduras must advance in its economic and political process if it was to comply not only de jure, but also de facto, with the Convention. The Government should be reminded that the implementation of the Convention would contribute to the country's economic, social and cultural development by harnessing the energies of women. The World Bank had recognized that as an efficient means of promoting world development; because of cultural traditions, however, Governments often had difficulty grasping the importance of women's issues.

39. The CHAIRPERSON asked the representatives of Honduras to convey to their Government the Committee's appreciation for its efforts to implement the Convention. In evaluating the progress made in improving the status of women, the Committee had taken into account political conditions in Honduras and in most other Latin American countries; it had also taken note of the Convention's positive impact on Government action. A number of measures had been taken in the areas of the family, the Criminal Code and agrarian reform and a new system had been established for evaluating the impact of agrarian reform on rural women. It was to be hoped that future reports would contain indicators of the success achieved in that area. At the same time, there was still some uncertainty as to whether or not the Criminal Code discriminated against women, and it was to be hoped that the Government would take steps to remove the remaining obstacles to legal equality. Another area which required attention was the right of women to work and to equal pay for work of equal value.

40. With regard to violence against women, the Committee recommended that the national authorities should monitor the problem closely and should take steps to raise awareness. The Committee also hoped that the Government would undertake campaigns to eliminate stereotypes which undermined the status of women and their contributions to society and that such campaigns would be aimed at both men and women.

41. Ms. Rosales Paz withdrew.

OTHER MATTERS

42. Ms. AOUIJ said that one point which had emerged from the Committee's consideration of reports by four States parties was that, in developed and developing countries alike, an increasing number of women were becoming the primary breadwinners in their families. The family was undergoing a radical restructuring and it was incumbent on the members of the Committee, who were pioneers in that field, to analyse the factors which were increasingly leading women to reject their traditional role in society.

43. Ms. BUSTELO GARCIA del REAL agreed with the previous speaker and suggested that the issue should be discussed at the Committee's next session, as part of its contribution to the International Year of the Family in 1994.

44. Ms. NIKOLAEVA, referring to paragraphs 35, 36 and 38 of document A/46/38, said that in June 1991 she had submitted to the Chairperson a proposal on training women for participation in the World Conference on Women, to be held in 1995; however, the proposal had not been included in the documentation for the current session. She wished to place on record her understanding that the Secretariat was to have made available at the current session a summary of the various proposals on that subject in order to facilitate the Committee's work.

45. Ms. BRAVO NUÑEZ DE RAMSEY observed that much of the documentation before her was not in Spanish; she requested the Secretariat to ensure that all Committee documents were made available in all the official languages.

46. Ms. CREYDT (Secretary of the Committee) said it was a matter of record that the working documents for the session had been sent to all the members of the Committee in their respective languages. There were, however, some reference documents in English and Spanish which had been sent only to experts who spoke those languages, so as to enable them to have input in some specialized areas. The draft report was currently being translated into all the official languages; the Committee had agreed that the language versions which were already available should be circulated so that members of the Committee could make preliminary comments thereon.

47. The CHAIRPERSON, referring to the statement by Ms. Aouij, said that the representatives of both China and Barbados had noted in their reports the link which existed between the political history of the State and contemporary customs and traditions; that link should be further explored.

48. Ms. LAIOU-ANTONIOU said that the principle of legal equality between men and women was now accepted in most, though not all, countries and that once the relevant legislation had been enacted, the women's movement tended to lose momentum. Although women in most countries were aware of their rights, there was little discussion of what was being done under article 5 of the Convention to raise men's awareness and enlist their support for equality. The Committee should discuss the possibility of having a number of men participate in its work, perhaps through a quota system; that might make the Committee's recommendations more acceptable to men.

49. Ms. ALFONSIN DE FASAN said that she shared the concerns raised by Ms. Aouij, as did all members of the Committee. It was useful to compare the situation in Barbados, where women had benefited from their traditional role as head of household, with that in China, where women remained in a subordinate position. She wondered whether women chose to live without men as a way of affirming their personal dignity and spiritual needs. Although the nuclear family remained the ideal, it could not be maintained unless women succeeded in raising men's awareness.

50. Ms. EVATT said she, too, agreed with Ms. Aouij and others that it was extremely important for the Committee to study the reasons for the growing number of female-headed families. If that situation was to become the norm, increasing importance must be attached to education.

51. The Chairperson's comments on the reports by States parties were useful, and the Committee might want to adopt them as a general summary.

52. With regard to Ms. Laiou-Antoniou's suggestion that men should participate in the Committee, while she was not opposed to the concept of quotas, she felt that it should apply equally to men and women on all the human rights treaty bodies.

53. Ms. GONZALEZ MARTINEZ said that in most societies, children's education began at home, with mothers having primary responsibility. In Latin cultures, mothers often assigned stereotypical roles to children of both sexes; girls were taught to make beds, set the table and cook, while boys' chores included washing the car and repairing appliances. It was important to remember that women's awareness must be raised so that they would bring up their sons differently.

54. Ms. FENGER-MOLLER agreed that it was very important to raise the consciousness of boys and men. Women were role models for their sons and must bear responsibility for the attitudes they developed, although educational systems and school textbooks were also important. However, the Committee was mandated to combat discrimination against women. Women in her country had been emphasizing the importance of working with men to combat stereotypes, but women's organizations argued that it was women who still faced the greatest number of problems. A debate was needed on the reasons why women became heads of household, other than when they were widowed or abandoned.

55. She noted that, contrary to the situation in some other countries, in her country it was precisely because women had education, training and employment that they decided to become single mothers. That choice was closely bound up with women's dignity. The tendency was for the family to break up through the woman's departure, no longer the man's desertion, as women became discouraged with men's failure to share in family life. It was important for both men and women to be able to combine working life with family life.

56. In the end, it was for men to raise their own consciousness and learn to value fatherhood. If women were to be called upon to solve men's and children's problems as well as their own, they would never get anywhere.

57. Ms. LAIOU-ANTONIOU agreed, and thought that everyone would agree, that women did bear responsibility for bringing up their children on the basis of equality between the sexes. However, the world at large was constantly undoing what was done within the family. Cinema, the mass media and advertising were all still under the control of men, whose consciousness had been raised to a remarkably small degree, so that efforts to socialize boys to

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recognize the equality of girls were continually frustrated. Women had been hearing for a long time that they were reinforcing gender stereotypes, but they were now finding that even their best efforts did not guarantee success.

58. Ms. QUINTOS-DELES said that in the Philippines the husband was viewed as a kind of elder son, whose departure meant one child less to look after. The situation of the female head of household, however, was complicated by the assumptions inherent in the laws of many countries: that there were two spouses and that any income earned by women was just pin money. There was a need to change the whole system. For example, in school, even children from liberated households were expected to say that the father went to work while the mother stayed home, and that caused a cultural conflict for the child.

59. Ms. BRAVO NUÑEZ DE RAMSEY pointed out that the very shape of human society was at stake. She saw three factors at work in the recent evolution of the situation. First, women had gained much greater self-esteem in developing and developed countries alike, as could be seen from the increased numbers of women heads of household. Second, economic necessity was redefining gender roles, because societies needed to integrate women into economic life. In the process, however, women were achieving economic independence which led inevitably to other forms of independence. Third, new family structures were emerging to replace the nuclear family, and the change had finally reached the legal sphere.

60. The CHAIRPERSON observed that the discussion had generated new ideas and highlighted current trends in different societies around the world. The emergence of heads of household, which could have a positive or negative impact on women themselves, their children, and society at large, needed further study, as did the need for women to avoid the mistakes of previous generations and attempt to bring up their sons and daughters in an egalitarian way.

61. Ms. SCHOPP-SCHILLING suggested that for its next session the Committee might prepare comments on that issue under article 16 of the Convention, in preparation for the International Year of the Family and for the 1995 World Conference on Women.

62. Ms. AOUIJ welcomed the dicussion and exchange of views and comments, especially since some members had things to say that could not be formulated as readily in the presence of national representatives.

63. It was necessary to involve men more closely in women's issues so as to consolidate the gains already made. Women could take a long-term approach through the education of their children and, simultaneously, work in the short term with the men with whom they came into everyday contact in Government and business. For instance, the six women deputies in the Tunisian Parliament, having noticed that men tended to pay more attention when men spoke, occasionally got their ideas accepted by persuading a male deputy to present

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them or by having their own suggestions seconded by two or three male deputies. The procedure seemed to be effective. Men's help was necessary, indeed essential, and their involvement and increased awareness was therefore indispenable, in Tunisia and elsewhere.

64. The CHAIRPERSON raised the question of the reservations to the Convention entered by numerous countries. She wondered what action the Committee could propose to the Economic and Social Council on that point.

65. Ms. CREYDT (Secretary of the Committee) said that the Subcommission on Prevention of Discrimination and Protection of Minorities of the Commission on Human Rights had noted in a report that an application to the International Court of Justice concerning reservations to the Convention had been considered. The Subcommission had thought it better for States parties to make such an application, however.

66. Ms. LAIOU-ANTONIOU proposed that a study should be made of the issues concerning which Member States had entered reservations to the Convention. The main issue was no doubt abortion, as some States suspected that there might be a hidden obligation under article 16 for States to legalize abortion.

67. Ms. BUSTELO GARCIA del REAL said that the Committee should issue a statement about the fact that the Convention was the international human rights instrument to which the most reservations had been entered. Moreover, the reservations were usually substantive and general, not specific. The Committee should be concerned that such reservations might invalidate the content of the Convention and hence hinder its implementation. A ruling by the International Court of Justice on such reservations might be useful.

68. Ms. OESER said that the problem of reservations had arisen at the very beginning of the Committee's deliberations. Even though, under article 28, a reservation incompatible with the object and purpose of the Convention was not permissible, the question was, who was to decide what was compatible and what was not. The Committee, in any case, was not competent to interpret that article; what it could do was approach the States parties and suggest once again that the issue be referred to the International Court of Justice by the States parties.

69. Ms. GONZALEZ MARTINEZ said that Mexico had from the outset rejected the reservations entered by other States and had suggested repeatedly that the issue of reservations should be raised with States parties. The Committee's role was limited to expressing praise for or disapproval of States' actions.

70. Ms. ALFONSIN DE FASAN said that if the Committee really did covertly encourage the legalization of abortion, many of its members would not be present. It should be made clear to States parties that the Convention had no such aim.

71. The CHAIRPERSON said that it was not the Committee's role to give any such explanation. She asked Ms. Oeser to write a short recommendation on the subject of reservations on behalf of the Committee, to be presented to the States parties at their next meeting.

The meeting rose at 1.05 p.m.